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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,764	07/02/2003	James J. Solheid	2316.1785US01	7163
23552	7590	11/22/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			NASRI, JAVAID H	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/613,764

Applicant(s)

SOLHEID ET AL.

Examiner

Javaid Nasri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/9/04, 9/1/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/1/05</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu (5,883,995) in view of WO 00/75706 (cited in IDS).

Lu discloses, **for claim 1**, an adapter (14) configured to optically connect two optical fiber cables terminated with fiber optic connectors (12, see figure 1), one cable on a rear side of the adapter and one cable on a front side of the adapter (see figure 1); at least one fiber optic connector holder (14'), the connector holder including a front side an opening configured to receive one of the a fiber optic connectors (12', see figure 15), the fiber optic connector (12') having a ferrule (13') with a dust cap (66') mounted directly about the ferrule (see figure 10), **for claim 4**, a first plurality of connectors (12') including dust caps (66') fitted about ferrules (13') of the connectors in one end of the connector holders so the first plurality of connectors are optically isolated (because of the dust cap), the opposite end of the connector holders (14') configured to not be matable with any of the connectors (because of the dust cap); the first plurality of connectors with the dust caps removed in one end of the adapters, the opposite ends of the adapters configured to be matable with a second plurality of connectors without dust caps to optically connect connectors of the first plurality with connectors of the second plurality, **for**

claims 12-15, similar limitations as discussed above. WO 00/75706 also discloses for claim 14, the cable management structure configured to direct a fiber optic cable from the fanout panel to each of the adapter panel and the cable connector holder panel and to store excess cable length (see figure 21).

However, Lu does not disclose,

- a) For claims 1 and 12, a telecommunication cabinet having a top, a floor, a pair of opposing sides, a front wall and a rear wall defining an interior, the front including an access door for accessing the interior; a cable management structure; at least one adapter panel including a plurality of openings for mounting fiber optic adapters. WO 00/75706 discloses a telecommunication cabinet having a top, a floor, a pair of opposing sides, a front wall and a rear wall defining an interior, the front including an access door for accessing the interior; a cable management structure; at least one adapter panel including a plurality of openings for mounting fiber optic adapters, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Lu to have a telecommunication cabinet having a top, a floor, a pair of opposing sides, a front wall and a rear wall defining an interior, the front including an access door for accessing the interior; a cable management structure; at least one adapter panel including a plurality of openings for mounting fiber optic adapters in view of WO 00/75706 so that the front side opening

of the fiber optic connector holder accessible from a front side of the adapter panel.

- b) For claims 4 and 15, a first panel including an array of connector holders on the panel, a second panel including an array of adapters on the panel. WO 00/75706 discloses a first panel including an array of connector holders on the panel, a second panel including an array of adapters on the panel (see figure 21), therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Lu to have a first panel including an array of connector holders on the panel, a second panel including an array of adapters on the panel in view WO 00/75706 for multiple distribution.
- c) For claims 16-19, Lu in view of WO 00/75706 discloses all the structural limitations of claims 16-19 as shown above, however, Lu in view of WO 00/75706 does not describe the method of adjusting as claimed. The claimed method language is counter part of the apparatus claimed. Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to develop a particular method for the disclosed apparatus of the cited references.

3. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of WO 00/75706 as applied to claim 1 above, and further in view of Waldron et al (6,234,683, cited in previous office action).

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Lu in view of WO 00/75706 discloses all the limitations of claims 1, 2 and 3, as shown above, WO 00/75706 also discloses for claim 3, the cable management structure configured to a direct a fiber optic cable from the fanout panel to each of the adapter panel and the cable connector holder panel and to store excess cable length (see figure 21).

However, Lu in view of WO 00/75706 does not disclose,

- a) A ferrule with a polished end face. Waldron et al discloses a ferrule with a polished end face (see col. 9, lines 50-53), therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Lu in view of WO 00/75706 to have a ferrule with a polished end face in view of Waldron et al so as to eliminate environmental contaminants and debris.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

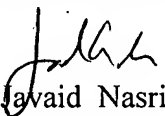
### **Contact**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Javaid Nasri  
Primary Examiner  
Art Unit 2839



Jhn

November 16, 2005